

## CHAPTER 36

## MATTRESSES

H. F. 681

AN ACT to require the labelling of mattresses and comforts, to prohibit the use of infectious, insanitary, unhealthful, or second hand material in their manufacture, and to prohibit any manufacturer or his agent from selling, offering or consigning for sale, or having in his possession with intent to sell, offer for sale, or consign for sale, any mattress or comfort, unless the same be made wholly of new material and labelled as hereinafter provided, and repealing chapter four hundred six (406), acts of the thirty-seventh general assembly (C. C. 1250-1261).

*Be it enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Definition. A mattress, within the meaning of this  
2 act, shall include what is commonly known as a bed mattress, and also  
3 any other article for use as a bed pad, consisting of an outer covering  
4 of cloth, ticking or other fabric, and stuffed or filled with hair, wool,  
5 moss, cotton, excelsior, or any other material.

6 A comfort, within the meaning of this act, shall include what is  
7 commonly known as a bed comfort, and also any other article for use  
8 as a bed cover, consisting of an outer covering of cloth or any other  
9 fabric, with wool, cotton or other material between.

1 SEC. 2. Materials—labels. It shall be unlawful for any manufac-  
2 turer or his agent to sell, offer or consign for sale, or have in his  
3 possession with intent to sell, offer or consign for sale, any mattress  
4 or comfort as herein defined, containing any infectious, insanitary or  
5 unhealthful material, or any other material previously used or not  
6 entirely new, sterilized feathers excepted, and unless the same be  
7 labelled as follows, to wit: to each of said articles there shall be  
8 attached upon the outside thereof, a cloth, or cloth-lined label not less  
9 than two by three inches in size, upon which shall be legibly written or  
10 printed, in the English language, in letters not less than one-eighth  
11 of an inch in height, a description of the materials used in the filling,  
12 with the name and address of the maker of such mattress or comfort.  
13 The sewing of one edge of said label securely to said article shall be  
14 sufficient.

15 If all of the material used in making said articles shall not have  
16 been previously used, and be new, the words "Manufactured of New  
17 Material" shall appear upon said label.

1 SEC. 3. Form of label. The label above provided for shall be in  
2 substantially the following form, but may contain thereon additional  
3 statements or information:

4 "OFFICIAL STATEMENT"  
5 "Manufactured of New Material."  
6 (Here describe kind and character of filling)  
7 "This article is made in compliance with an act of the state of Iowa,  
8 approved the..... day of ..... 1923.  
9 (Here state manufacturer's name and address.)"  
10 Factory Number .....

1     **SEC. 4. Applicability—remaking.** This act shall not apply to mat-  
2 tresses or comforts made by any person for his individual or family  
3 use, nor to the remaking of any mattress or comfort not thereafter  
4 to be sold or offered for sale.

5     Any mattress or comfort so remade shall have attached thereto a  
6 label of the kind hereinbefore provided for, except that such label  
7 shall bear the words "Remade from Used Material" in lieu of the  
8 words "Manufactured of New Material".

1     **SEC. 5. Penalty.** It shall be unlawful for any person to remove, de-  
2 face, or alter, or cause to be removed, defaced or altered, any label  
3 so attached to said articles.

1     **SEC. 6. Separate offense defined.** The doing of any of the acts herein  
2 prohibited or declared unlawful, shall be and constitute a separate  
3 offense for each and every mattress or comfort not made, labelled or  
4 otherwise handled, as provided in this act.

1     **SEC. 7. Inspection—duty to enforce—rule of evidence.** It shall be the  
2 duty of the state board of health, not less than once each year, to  
3 cause each factory in the state, where mattresses or comforts are  
4 made, to be inspected, for which inspection a fee of ten dollars (\$10.00)  
5 shall be paid to the state by the manufacturer inspected, but no  
6 manufacturer shall be required to pay fees in excess of twenty dollars  
7 (\$20.00) for any one calendar year.

8     The state board of health shall be charged with the enforcement  
9 of this act and shall have power to prosecute violators of this act, and  
10 the finding of any infectious, insanitary, unhealthful or secondhand  
11 material in that part of any factory devoted to the manufacture of  
12 mattresses or comforts, shall be prima facie evidence that such mate-  
13 rial has been and is being used in violation hereof.

1     **SEC. 8. Penalty.** The violation of any of the provisions of this act  
2 shall be deemed a misdemeanor and upon conviction thereof, any  
3 person may be punished by a fine of not less than fifty (50) dollars  
4 nor more than one hundred (100) dollars or by imprisonment in the  
5 county jail not to exceed thirty (30) days or by both such fine and  
6 imprisonment.

1     **SEC. 9. Registration.** Every manufacturer of mattresses shall reg-  
2 ister with the board of health and be assigned by them a factory  
3 number, which shall show on each label as attached to the mattress.

1     **SEC. 10. Repeal.** Chapter four hundred six (406), acts of the  
2 thirty-seventh general assembly is hereby repealed.

Approved April 16, A. D. 1923.